### REMARKS/ARGUMENTS

#### Claims

Claims 28-38 are pending in the application.

Claims 28-38 are currently cancelled.

Claims 39-47 are new.

# Claim Rejections

In the Office Action of December 4, 2006, claims 28 to 38 were rejected under 35 USC § 102, 103 and 112.

The Applicant hereby cancels claims 28 to 38 without prejudice.

## New claims

The Applicant is respectfully submitting new claims 39 to 47 which include independent claim 39. Claim 39 is believed to be patentable over the prior art since the prior art, alone or combined, does not teach a system which includes modules for

- <u>automatically</u> generating new playlists based on air time period availability, multimedia content, multimedia content preferences of the multimedia content providers and air time period preferences of the multimedia content providers; and
- transmitting the newly generated playlists and the multimedia content to the display systems.

Claim 39 and the claims depending therefrom are fully supported by the specification and the drawings. No new matter has been added.

Application No. 09/937,078

Request for Continued Examination Dated December 1<sup>st</sup>, 2008

Reply to Decision on Appeal of September 25, 2008

#### Conclusion

Considering the above arguments, the Applicant respectfully requests that a timely Notice of Allowance be issued in this case for all pending claims. However, should it be found necessary or practical, the Applicant kindly invites the Examiner to telephone the undersigned, Applicant's agent of record, to facilitate the advancement of the present application.

### Additional Fees

Should any other fees whatsoever be due in connection with the present patent application, the United States Patent and Trademark Office is hereby authorized to charge any such additional fees to our Deposit Account no. 50-3436.

Respectfully submitted,

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